



# AGENDA

## Planning Commission

Jay Brown, 1<sup>st</sup> District Commissioner  
Michael Multari, 2<sup>nd</sup> District Commissioner  
Dawn Ortiz-Legg, 3<sup>rd</sup> District Commissioner  
Jim Harrison, 4<sup>th</sup> District Commissioner  
Don Campbell, 5<sup>th</sup> District Commissioner

**MEETING DATE:** Thursday, November 08, 2018

### **MEETING LOCATION AND SCHEDULE**

Regular Planning Commission meetings are held in the Board of Supervisors Chambers, County Government Center, 1055 Monterey Street, Room D170, San Luis Obispo, on the second and fourth Thursdays of each month. Regular Adjourned Meetings are held when deemed necessary. The Regular Meeting schedule is as follows:

Meeting Begins	.	9:00 a.m.
Morning Recess	10:30 a.m.	10:45 a.m.
Noon Recess	12:00 p.m.	1:00 p.m.
Afternoon Recess	3:15 p.m.	3:30 p.m.

*ALL HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.*

### **ROLL CALL**

### **FLAG SALUTE**

### **PUBLIC COMMENT PERIOD**

Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

### **PLANNING STAFF UPDATES**

This is the time set for Planning Staff updates.

### **CONSENT AGENDA:**

1. August 23, 2018 draft Planning Commission minutes
2. A request for a third time extension by **Coker Ellsworth Development LLC** for Vesting Tentative Tract Map 2424 and Conditional Use Permit to subdivide an existing 1.69 acre parcel into a nine lot planned development with seven residential lots varying in size from 1,492 square feet to 2,224 square feet, a mini-storage lot of 34,500 square feet, and a non-buildable lot of 26,685 square feet to be held in common undivided interest by the owners of the other eight lots. The project includes seven two-story townhouses varying in size from 1,240

square feet to 1,522 square feet each and each including an attached garage of 494 to 519 square feet, two mini-storage buildings with a total structural area of 23,432 square feet and a mini-storage office of approximately 264 square feet. The project will include a retention basin, three on-site roadways, extension of utilities and a 120-foot buffer measured from the southerly/southeasterly property line which is designated as a no habitable area. The project will result in the disturbance of the entire 1.69-acre parcel. The project site is within the Residential Multi-Family land use category and is located on the east side of South Halcyon Road, at Temple Street, approximately 400 feet south of The Pike, south of the City of Arroyo Grande. The site is in the San Luis Bay Inland Sub-area in the South County Planning Area. A Negative Declaration was approved by the Board of Supervisors on December 16, 2008.

**County File Number: SUB2004-00160, EXT2018-00036**

Assessor Parcel Number: 075-011-041

Supervisory District: 4

**Project Manager: Katie Nall**

Date Accepted: N/A

**Recommendation: Approval**

3. A request for a second time extension by **Jack R. Tracy** for Tentative Tract 2656 to subdivide an approximate 30 acre parcel into five parcels ranging from 5 to 7 acres for the purpose of sale and/or development. The division will create an on-site road to access the lots from Cimarron Way. The project will result in the disturbance of approximately 6 acres as a result of road improvements and future residential development. The proposed project is within the Residential Rural land use category and is located at 1720 North Thompson Avenue, on the east side of Highway 101, approximately 600 feet northwest of Cimarron Way. The site is in the South County Inland Sub-Area in the South County planning area. A Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on May 8, 2008 for this project. The Negative Declaration was approved by the Planning Commission on July 7, 2008.

**County File Number: S030206T, EXT2018-00034**

Assessor Parcel Number: 090-042-017

Supervisory District: 4

**Project Manager: Jo Manson**

Date Accepted: N/A

**Recommendation: Approval**

#### **HEARINGS: (Advertised for 9:00 a.m.)**

4. A request by the **County of San Luis Obispo** to consider amendments to the Land Use Ordinance, Title 22 of the County Code (LRP2018-00004), and the Coastal Zone Land Use Ordinance, Title 23 of the County Code, and the Coastal Zone Land Use Element, Part I – Framework for Planning and Part II – Area Plans, (LRP2018-00005) as applicable to Cannabis Activities. The proposed amendments will clarify terminology and definitions, add two new use types (Cannabis Processing Facilities and Cannabis Transport Facilities), revise the limitation on cannabis cultivation from 141 operations to 141 sites, modify standards for certain cannabis activities including but not limited to, fencing, screening, and outdoor lighting, allow for procedures for modification of certain development standards, and modify noticing requirements for all Cannabis Activities. Except for amendments applicable to Cannabis Transport Facilities, these amendments are exempt from CEQA pursuant to Section 26055(h) of the California Business and Professions Code. The amendments applicable to Cannabis Transport Facilities are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the

environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [CEQA Guidelines Section 15061(b)(3)]

**County File Numbers: LRP2018-00004 and -00005**

Assessor Parcel Number: Countywide

Supervisory District: All Districts

**Project Manager: Megan Martin**

Date Accepted: N/A

**Recommendation: Approve**

5. A request by **Peoples' Self Help Housing** for a Conditional Use Permit to allow construction of an approximately 30,000 square foot, two-story office building. The project will result in the disturbance of the entire 1.67 acre site that consists of Assessor Parcel Numbers 076-511-025 and 076-512-024. The proposed project is within the Commercial Service and Public Facilities land use categories and is located at 1060 Kendall Road, adjacent to the City of San Luis Obispo. The site is in the San Luis Obispo subarea of the San Luis Obispo planning area. Also to be considered is the environmental determination and approval of the Environmental Document prepared for the item. The Environmental Coordinator found that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Mitigated Negative Declaration was prepared as the following conditions apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Mitigated Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; and 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Mitigated Negative Declaration has been identified. No new mitigation measures have been proposed.

**County File Number: DRC2018-00131**

Assessor Parcel Number: 076-511-025 and 076-512-024

Supervisory District: 3

**Project Manager: Stephanie Fuhs**

Date Accepted: September 4, 2018

**Recommendation: Approval**

6. A request by **Richard Del Rio and AT&T Mobility** for a Conditional Use Permit to allow for the construction and operation of a new wireless communications facility consisting of twelve (12) 8' tall panel antennas, twenty four (24) Remote Radio Units (RRUs), two (2) 6' diameter microwave dishes, and five (5) surge suppression units, all installed on a new 60' tall artificial pine tree (monopine). The project also includes a new 64 square foot equipment shelter and a new standby emergency generator, and associated equipment, all located within a 20' x 30' lease area surrounded by a 2-foot retaining wall with an 8-foot tall wood panel fence on top. The proposed project will result in the disturbance of approximately 6,540 square feet (including utility trenching) on an approximate 40 acre parcel. The proposed project is within the Rural Lands land use category and is located at 8420 Temettate Drive, approximately 1-mile northwest of Suey Creek Road, and approximately 5.7 miles north of Highway 166 near the community of Nipomo. The site is in the South County Inland Sub Area of the South County Planning Area. Also to be considered is the environmental determination that the project is categorically exempt under CEQA, pursuant to CEQA Guidelines Section 15061(b)(2). A Notice of Exemption has been

prepared pursuant to CEQA Guidelines Section 15062.

**County File Number: DRC2016-00082**

Assessor Parcel Number: 048-151-052

Supervisory District: 4

**Project Manager: Tony Navarro**

Date Accepted: July 5, 2018

**Recommendation: Approval**

7. A request by **Golden State Water Company** for a Development Plan / Coastal Development Permit to allow for the replacement of an existing 44,000 gallon water tank with a new 46,000 gallon water tank. The project will result in the disturbance of approximately 105 square feet on a 12,600 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 230 Madera Street in the Cabrillo Estates neighborhood. The project site is located in the community of Los Osos, in the Estero planning area. Also to be considered is the environmental determination that the project is categorically exempt under CEQA, pursuant to CEQA Guidelines Section 15061(b)(2). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062.

**County File Number: DRC2018-00117**

Assessor Parcel Number: 074-025-012

Supervisory District: 2

**Project Manager: Kate Shea**

Date Accepted: September 13, 2018

**Recommendation: Approval**

8. A request by the **County of San Luis Obispo Department of Public Works** for a third time extension for a Development Plan / Coastal Development Permit to implement improvements to the existing water system for County Service Area (CSA) 10A, including construction of: 1) an approximately 210,000 gallon new water storage tank (36' in diameter, 32' in height) and pipeline connection to existing water system; 2) a 12' wide red-rock gravel access road to the new tank site that would have a maximum allowable slope of 20%; 3) a 12' wide flat, red-rock gravel access area around the entire tank for tank maintenance; and 4) replacement of the existing water tank. The project also includes hydroseeding with native plants, and installation and maintenance of several Monterey cypress trees to reduce visual impacts of the new tank. The new tank would be located in the same pressure zone as the existing tank, with a base elevation of 225 feet above sea level. The maximum steepness of cut and fill slopes would be of 2:1. The new tank would be placed entirely on cut material and located in a geologically stable location. The project would result in the disturbance of approximately 0.7 acre. The proposed project is within the Rural Lands land use category and is located approximately 350 feet east of Hacienda Drive (adjacent to an existing water tank), and approximately 430 feet south of the intersection of Hacienda Drive and Gilbert Avenue, adjacent to the community of Cayucos. The site is located within the Estero planning area. Also to be considered is the environmental determination. The Environmental Coordinator finds that the previously adopted (Mitigated) Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Mitigated Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted.

**County File Number: DRC2013-00046, EXT2018-00029**

Assessor Parcel Number: 064-332-011, 064-332-012, 064-332-013, 064-332-014, 064-332-050 and 064-332-064

Supervisory District: 2

Date Accepted: September 14, 2018

**Project Manager: Jo Manson**

**Recommendation: Approval**

9. A request by **SLO Cultivation, Incorporated** for a Conditional Use Permit (DRC2017-00118) to establish 22,000 square feet of indoor (mixed-light) cannabis cultivation, 35,000 square feet of indoor cannabis nursery (growing immature plants), 2,600 square feet of dry hanging area, 2,700 square feet of processing area, and 300 square feet of non-storefront cannabis dispensary located on three parcels totaling approximately 75 acres. Cultivation, nursery, and dry hanging activities would occur within the easterly 2.5-acre (108,900-square-foot) section of an existing 5-acre (217,800-square-foot) greenhouse facility. Cannabis processing activities, including separation, trimming, manicuring, grading, sorting, packaging and labeling, and the non-storefront dispensary would occur within a proposed 3,000-square-foot building located near the northeast corner of the existing greenhouse. The request also includes a modification of the parking standards to reduce the required number of parking spaces onsite from 120 to 25 spaces. The project would result in 66,181 square feet of site disturbance including 40 cubic yards of cut and 40 cubic yards of fill material. The project site is within the Rural Residential and Agricultural land use categories at 1808 and 1810 Willow Road and 520 Albert Way, west of Highway 101, and approximately 2.3 miles northwest of the community of Nipomo, in the Inland subarea of the South County Planning Area. Also to be considered is the environmental determination that the project is categorically exempt under CEQA, pursuant to CEQA Guidelines Section 15061(b)(2). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062.

**County File Number: DRC2017-00118**

Assessor Parcel Number: 091-181-046, 091-181-045, and 091-181-019

Supervisory District: 4

Date Accepted: August 31, 2018

**Project Manager: Megan Martin**

**Recommendation: Approval**

## **ADJOURNMENT**

ESTIMATED TIME OF ADJOURNMENT: 5:00 PM

RAMONA HEDGES, SECRETARY  
COUNTY PLANNING COMMISSION

## **PUBLIC RECORDS ACT**

Supplemental correspondence and other materials for open session agenda items that are distributed to the Planning Commission within 72 hours preceding the Planning Commission meeting are available for public viewing in the Planning and Building Department located at 976 Osos Street, Room 200. With respect to documents submitted by members of the public to the Planning Commission during a meeting, the law requires only that those documents be copied by the Clerk after the meeting for members of the public who desire copies. However, as a courtesy to others, it is requested that members of the public bring at least 12 extra copies of documents that they intend to submit to the Planning Commission during a meeting so that those extra copies can be immediately distributed to all members of the Planning Commission, County staff, and other members of the public who desire copies.

### **RULES FOR PRESENTING TESTIMONY**

Planning Commission hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony must observe the following rules:

1. When you come to the podium, first identify yourself and please state your area of residence. Commission meetings are tape recorded and this information is needed for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Talk about the proposal and not about individuals involved. On occasion, the Chair may be required to place time limits on testimony; in those cases proposal description/clarification will be limited to 12 - 15 minutes, individual testimony to 3 minutes, and speakers representing organized groups to 5 minutes. Focus testimony on the most important parts of the proposal; do not repeat points made by others. And, please, no applauding during testimony.
4. Written testimony is acceptable. Letters are most effective when presented at least a week in advance of the hearing. Mail should be directed to the Planning Department, attention: Planning Commission Secretary. However, email correspondence is most effective when sent up to 24 hours in advance of the hearing. Email should be directed to [RHedges@co.slo.ca.us](mailto:RHedges@co.slo.ca.us). Do not include personal information such as address and telephone numbers.

### **APPEALS**

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the Board of Supervisors up to 14 days after the date of action, in writing, to the Planning Department. If legitimate coastal resource issues related to our local Coastal Program are raised in the appeal, there will be no fee. If an appeal is filed for an inland project, or for a coastal project with no legitimate coastal issues, there will be a fee set by the current fee schedule. If a fee is required, it must accompany the appeal form. The appeal will not be considered complete if a fee is required but not paid. There must be an original form and original signature, a FAX is not accepted.

Planning Commission decisions may also be appealable to the California Coastal Commission pursuant to Coastal Act Section 30603 and the County Coastal Zone Land Use Ordinance 23.01.043. Exhaustion of appeals at the county is required prior to appealing the matter to the California Coastal Commission. The appeal to the Board of Supervisors must be made to the Planning Commission Secretary, Department of Planning and Building, and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations contain specific time limits to appeal, criteria, and procedures that must be followed to appeal this action. The regulations provide the California Coastal Commission 10 working days following the expiration of the County appeal period to appeal the decision. This means that no construction permits can be issued until both the County appeal period and the additional Coastal Commission appeal period have expired without an appeal being filed.

Contact the Coastal Commission's Santa Cruz Office at (831) 427-4863 for further information on appeal procedures.

**HEARING IMPAIRED:** There are devices for the hearing impaired available upon request.

**COPIES OF VIDEO, CD:** You may obtain copies of the Video Recording through AGP Video at 805-772-2715, for a fee. Copies of the CD of the proceedings are available at the Department of Planning and Building, for a fee.

### **ON THE INTERNET**

This agenda and associated staff reports may be found on the internet at: <http://www.slocounty.ca.gov/planning.htm> under Quicklinks, Meeting Agendas. For further information, please call (805) 781-5612.